

YOUTH SERVICES POLICY

Title: Social Security Benefits Next Annual Review Date:	Type: C. Field Operations Sub Type: 4. Juvenile Institutions Number: C.4.2
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References: Applicable Adopted Standards; DYS Policy No. 4.5 "Accounting/Collections"; and All applicable Social Security Guidelines and Regulations.	
STATUS: Approved	
Approved By: Simon Gonsoulin, Deputy Secretary	Date of Approval: 10/09/2006

1. AUTHORITY:

Deputy Secretary of Youth Services as contained in La. R.S. 36:405.

2. PURPOSE:

To establish the Deputy Secretary's policy regarding the use of Social Security benefits for youth.

3. APPLICABILITY:

Undersecretary or designee, Assistant Secretary, Deputy Assistant Secretaries, Facility Directors, Facility Administrative Directors, Probation and Parole Program Director and Fiscal Services at Youth Services (YS) Central Office.

4. DEFINITIONS:

Beneficiaries - recipients of SSA and SSI benefits. Some beneficiaries receive both SSA and SSI payments.

Custody - refers to the control and care of the beneficiary; a court has placed a youth in the custody of an individual, facility, or other agency; the beneficiary actually lives with the person or organization that has custody.

Dedicated Account - an account in a financial institution for certain large past-due payments for SSI beneficiaries under the age of 18.

Determination of Eligibility - the process whereby the Office of Community Services (OCS) reviews youth's social security information to determine whether the youth is now receiving benefits according to Social Security Administration guidelines.

Non-Secure Residential Programs - programs that provide housing, supervision and rehabilitative care for youth between ages of 12 and 17 in the custody of YS. These facilities are usually characterized by a lack of physical security such as perimeter fences, security locks and controlled access.

Representative Payee - an individual or organization that receives SSA and/or SSI payments for someone who cannot manage his or her money. The Social Security Administration's laws require a representative payee for minor children receiving social security benefits.

Social Security (SSA) - a federal insurance program that protects workers and their families from loss of earnings due to retirement, death or disability.

Supplemental Security Income (SSI) - a federal income maintenance program for aged, blind and disabled persons with little or no income or resources.

YS Central Office - Offices of the Deputy Secretary, Undersecretary or designee of the Office of Management and Finance, Assistant Secretary of the Office of Youth Development and their support staff.

5. POLICY:

It is the Deputy Secretary's policy that YS will be designated the representative payee of Social Security benefits for eligible youth.

The Social Security Administration provides SSA payments for the care of youth upon the death or disability of their parents who qualify for Social Security benefits. SSI payments may be received for a child who has a limited income due to disability or blindness. Some individuals may receive both SSA and SSI payments; eligibility for benefits depends on the individual meeting the requirements for each program.

The State of Louisiana provides total care for youth whose custody has been assigned to the State. The State is entitled to receive the social security benefits in order to defray the cost of care.

6. PROCEDURES:

- A. Youth assigned to a secure care facility shall have their Social Security number verified. If the youth has not applied for a Social Security number, appropriate staff will assist with the application.
- B. YS Central Office (Fiscal Services) will run a weekly secure care custody report. This report will be faxed to the local Social Security office to determine if Social Security benefits are being received for the youth assigned to a secure care facility. YS Central Office (Fiscal Services) shall apply for any Social Security benefits being received by the youth. Youth in a secure care facility can only receive SSA benefits.
- C. For youth assigned to a non-secure residential program, the YS regional office completes a financial assessment packet which is forwarded to OCS. A determination of eligibility for Social Security benefits shall be made by OCS and YS Central Office (Fiscal Services) shall apply for benefits. Youth in a non-secure residential program can receive SSA and SSI benefits.
- D. All Social Security benefits shall be electronically transferred from the U.S. Treasury to the JPMorgan Chase checking account titled, LA Office of Youth Development Payee for Juvenile Social Security and SSI Beneficiaries under the supervision of the LA State Treasurer's office. Notification of electronic deposits into this account by the LA State Treasurer's office are verified daily through the JPMorgan Chase - One Net system by YS Central Office (Fiscal Services). YS Central Office (Fiscal Services) will make the appropriate entry into the youth's Social Security ledger required by the Social Security Administration.
 - 1. YS is entitled to become the recipient of the SSA and SSI benefits received by youth in the custody of YS to defray the cost of care, unless the cost of care to YS for the youth is less than the Social Security benefits. In such cases, the excess funds shall be deposited in the "dedicated account" as conserved fund for the youth's discretionary use.
 - 2. Youth who receive SSI benefits are due a personal allowance of at least \$30.00 monthly for the beneficiaries' personal needs mandated by SSA's policy. This allowance will be credited to the youth's ledger monthly and notification of monthly personal allowance and current balances will be sent to each non-secure residential program where the youth is housed by YS Central Office (Fiscal Services). The non-secure residential programs are authorized to let the youth spend the balance of their monthly allowance for any personal needs. When the non-secure

residential program makes expenditures, the program-designated representative will submit a Social Security Conserved Fund Reimbursement form, original receipt and beneficiary's signature to YS Central Office (Fiscal Services) for reimbursement of funds. The youth's social security ledger will be updated by YS Central Office (Fiscal Services) to show personal allowance purchases.

3. YS Central Office (Fiscal Services) is required by Social Security law to maintain an account in a financial institution for SSI beneficiaries under the age of 18 who have large past-due SSI payments covering more than six months of payments. These funds are deposited into a separate interest bearing "dedicated account" at JPMorgan Chase titled, LA Office of Youth Development Payee for Juvenile Social Security and SSI Beneficiaries. These conserved funds must be used in the beneficiary's best interest and any disbursements must be approved by the local Social Security office. These funds can only be used for medical treatment, education or job skills training, personal needs assistance, special equipment, housing modification, therapy or rehabilitation, if same is related to the youth's disability that SSA determines to be appropriate.
4. Any SSA and SSI payments received for youth who have exited YS custody, and did not spend the majority of the month in custody, will be returned to the Social Security Administration.

Previous Regulation/Policy Number: C-04-004 / C.4.2

Previous Effective Date: 11/21/2003

Attachments/References: